

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BLUE SPHERE, INC., d/b/a LUCKY 13 and ROBERT A. KLOETZY,

Plaintiffs,

v.

THE INDIVIDUALS, CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, AND UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE A HERETO,

Defendants.

Case No. 22-cv-5599

Hon. Steven C. Seeger

FINAL JUDGMENT ORDER

BLUE SPHERE, INC., d/b/a LUCKY 13 and ROBERT A. KLOETZY (“Plaintiffs”) filed this action against Defendants identified in the attached Amended Schedule A and using the Defendant Online Marketplace Accounts (collectively, the “Defendant E-Commerce Stores”). Plaintiffs having moved for entry of Default and Default Judgment against the Defendants identified in Amended Schedule A attached hereto (collectively, “Defaulting Defendants”).

The Court notes that Plaintiff properly completed service of process on Defaulting Defendants by providing notice via electronic publication and e-mail, along with any notice that Defaulting Defendants received from domain name registrars and payment processors. Plaintiff provided notice reasonably calculated under all circumstances to apprise Defaulting Defendants of the pendency of the action and afford them the opportunity to answer and present their objections.

None of the Defaulting Defendants have properly answered the Amended Complaint or appeared in any way, and the time for answering the Amended Complaint has expired. The Court thus makes the following findings and awards the following relief.

IT IS HEREBY ORDERED that Plaintiffs' Motion for Entry of Default and Default Judgment is GRANTED as stated in this Order, that Defaulting Defendants are in default, and that this Final Judgment is entered against Defaulting Defendants.

This Court finds (at least without an adversarial presentation) that it has personal jurisdiction over Defaulting Defendants since Defaulting Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Defaulting Defendants are reaching out to do business with Illinois residents by operating one or more commercial, interactive Defendant E-Commerce Stores through which Illinois residents can purchase products bearing counterfeit versions of BLUE SPHERE, INC. d/b/a LUCKY 13 and ROBERT KLOETZY trademarks which are protected by U.S. Trademark Registration Nos. 2,970,316; 2,974,104; 3,022,964; 3,049,988; 3,207,294; 3,250,642 and 4,380,254 (the "LUCKY 13 Trademarks").

The Court also finds that Defaulting Defendants are liable for federal trademark infringement and counterfeiting (15 U.S.C. § 1114), false designation of origin (15 U.S.C. § 1125(a)) and violation of the Illinois Uniform Deceptive Trade Practices Act (815 ILCS § 510 et seq.).

Under 15 U.S.C. § 1117(c)(2) and 17 U.S.C. § 504(c), Plaintiffs are awarded statutory damages from each of the Defaulting Defendants in the amount of one thousand dollars (\$1,000.00) for the use of counterfeit LUCKY 13 Trademarks on products sold through the Defendant E-Commerce Stores.

As required by the Seventh Circuit, the Court is entering a permanent injunction in a separate document. *See MillerCoors LLC v. Anheuser-Busch Companies, LLC*, 940 F.3d 922 (7th Cir. 2019).

Plaintiff can enforce this judgment as provided in the Federal Rules of Civil Procedure.

Date: August 29, 2023



Steven C. Seeger
United States District Judge

AMENDED SCHEDULE A

No.	Defendant Name / Alias
3	wangguoxiu66058
4	watchsshops
6	Y14OFBJFG
117	yilongfashion
140	zhangshenchaog

No.	Defendants Online Marketplace
3	https://www.wish.com/merchant/60483deab9f4c017f80b7bc0
4	https://www.wish.com/merchant/5d5a5513445edd5600af119e
6	https://www.wish.com/merchant/5e7bb17c3233e599075cfb62
117	https://www.wish.com/merchant/5b1651b74c9054145d57f25b
140	https://www.wish.com/merchant/5ef3ff7906acda0521798508